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8 UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
9 AT TACOMA

10 NATHANIEL ALEXANDER HODGES,

11 Plaintiff,

12 v.

13 THE STATE OF WASHINGTON IN AND
14 FOR CLARK COUNTY,

15 Defendant.

CASE NO. C11-6036-RJB-JRC

ORDER ON MULTIPLE MOTIONS

16 This 42 U.S.C. §1983 civil rights matter has been referred to the undersigned Magistrate
17 Judge pursuant to 28 U.S.C. §§ 636 (b)(1)(A) and (B) and Local Magistrate Judge Rules MJR 1,
18 MJR 3, and MJR 4. A number of motions are before the Court. Defendant, State of Washington
19 has appeared through the State Attorney General's Office, Assistant Attorneys General Cassie B.
20 vanRoojen and Sara J. Di Vittorio (ECF No. 8 and 14). The State of Washington has filed a
21 motion to dismiss itself from the action based on Eleventh Amendment immunity (ECF No. 9).

22 The action involves the actions of Vancouver City Police and the Clark County Jail.
23 Neither are state entities (ECF No. 6). The State has reevaluated its position and asks to
24 withdraw as it does not appear the State is a party to this action (ECF No. 15). Counsel informs

1 the Court that the City of Vancouver was contacted and told the state would be attempting to
2 withdraw from the case (ECF No. 15) The City of Vancouver has since entered a notice of
3 appearance (ECF No. 17). The motion to withdraw (ECF No. 15) is GRANTED. Plaintiff did not
4 respond to the motion to withdraw. If plaintiff contends the State itself is a party to the action he
5 may move for reconsideration.

6 Plaintiff has filed a “motion for summary judgment” (ECF No. 10). Plaintiff has also
7 filed a motion for injunctive relief (ECF No. 11). The Court has read the motion for injunctive
8 relief; it is not a model of clarity. Plaintiff never informs the Court what he is asking the Court to
9 prohibit (ECF No. 11).

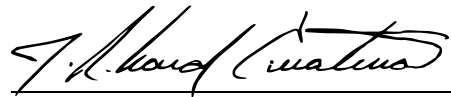
10 To the extent plaintiff attempts to combine a subpoena to produce documents in his
11 motion for injunctive relief, the subpoena is void (ECF No. 11, page 21). Plaintiff must follow
12 the Fed. R. Civ. P and the Local Rules of this Court regarding discovery. Plaintiff’s request to
13 have the Court consider an over length brief, (ECF No. 11, page 20-21), is DENIED.

14 Plaintiff needs to submit a clear and concise document that tells the Court and the
15 defendants what it is he is asking the Court to do and why he believes he is entitled to that relief.
16 The Court orders that plaintiff amend his motion for injunctive relief. Plaintiff’s amended motion
17 for injunctive relief will be due on or before May 4, 2012. Defendant, City of Vancouver and
18 Vancouver Police Department will have until May 18, 2012 to reply.

19 The City of Vancouver’s motion for a continuance regarding plaintiff’s motion for
20 summary judgment, (ECF No. 16), is GRANTED. A response will be due May 4, 2012. Any
21 reply the plaintiff wishes to file will be due on or before May 11, 2012. The motion for summary
22 judgment (ECF No. 10) is re-noted for May 18, 2012.

1 The Clerk of Court is directed to remove the State of Washington's motion to dismiss
2 from the calendar (ECF No. 9), re-note plaintiff's motion for summary, (ECF NO. 10), for May
3 18, 2012, and remove plaintiff's motion for injunctive relief, (ECF No. 11), from the calendar.
4 The other two motions, (ECF No. 15 and 16), have been ruled on and may be removed from the
5 calendar as well.

6 Dated this 3rd day of April, 2012.

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9 J. Richard Creatura
10 United States Magistrate Judge
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